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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/589,942

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EXAMINER

ANDLER, MICHAEL S

ART UNIT

PAPER NUMBER

2876

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,942	Applicant(s) TAKAMURA ET AL.	
	Examiner Michael Andler	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>18 July 2006, 16 January 2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim **7** is objected to because of the following informalities:

Regarding claim **7**, delete “that interrupts access from an outside” and substitute with --that interrupts access from outside--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- a) Claims **1-2, and 4-11** are rejected under 35 U.S.C. 102(b) as being anticipated by Goldman et al. (US 6,430,488).

Regarding claims **1 and 4**, Goldman et al. discloses an IC card adapter apparatus comprising:

a first communicating unit that reads information from an IC card in which card information and personal information are stored (See Col 4, line 56: “ISO 7816”); and

a second communicating unit that communicates with a vehicle control device mounted on a vehicle (Col 5, lines 28-32: “ISO 11898...bus”);

wherein the first communicating unit and the second communicating unit conduct communication in different modes (ISO 7816 vs. ISO 11898);

a storage unit that previously stores the information and a control unit (Fig 1, item 110: *acceptance device* and Col 4, lines 61-62: “*smart card reader*” where it is understood that a smartcard reader would have a microprocessor that includes a memory) that collates the information read by the first communicating unit with the information stored in the storage unit (Col 11, lines 18-19: “*password or personal identification number*”), and allows the second communicating unit to perform transmitting and receiving operations when a result of the collation indicates coincidence (Col 11, lines 41-42).

Regarding claim **2**, Goldman et al. discloses wherein the storage unit stores card information and personal information of a plurality of IC cards; and wherein when the result of the collation indicates coincidence (Col 11, lines 18-19: “*password or personal identification number*”), the control unit obtains personal information of each of the IC cards (See Col 1, lines 55-58 and Fig 5, item 500: *Operator Data File*).

Regarding claim **5**, Goldman et al. discloses wherein at least one of a plurality of restriction information including a setting of entry unlocking of a vehicle (Col 6, lines 16: “*unlock the door*”), a setting of engine start unlocking, a setting of glove box unlocking, a setting of trunk unlocking, an available time of a vehicle, an available travel distance of a vehicle, and an available number of use of a vehicle is stored in at least one of a readable storage region of the IC card (Col 5, lines 44-45) and a readable region of the storage unit.

Regarding claim **6**, Goldman et al. discloses wherein at least one of a plurality of position setting information of a vehicle including a seat position of a vehicle (Col 6,

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lines 20-28), a steering wheel position, and a mirror position is stored in at least one of a readable storage region of the IC card (Col 6, lines 6-7) and a readable region of the storage unit.

Regarding claim 7, Goldman et al. discloses further comprising an interrupting unit that interrupts access from an outside to an IC card attached to the IC card adapter apparatus (Col 11, lines 20-22: *"prevents illicit copying of the card, such copying being used for theft or denial of service attacks"*).

Regarding claim 8, Goldman et al. discloses a vehicle control device comprising:
a communicating unit that communicates with the IC card adapter apparatus according to claim 1 (Col 5, lines 28-32: *"ISO 11898...bus"*);

a storage unit that previously stores information of the IC card adapter apparatus (Abstract, lines 5-8: *storage device*); and a vehicle control unit (Fig 1, item 130: *controller*) that collates information of the IC card adapter apparatus obtained by the communicating unit with the information of the IC card adapter apparatus stored in the storage unit (Col 11, lines 18-19: *"password or personal identification number"*), and

allows the interface unit to perform transmitting and receiving operations when a result of the collation indicates coincidence (Col 11, lines 41-42); and

an interface unit that transmits and receives signals (Fig 1, item 140: *bus*) with respect to a plurality of control apparatuses mounted on a vehicle (Fig 1, item 120: *functional devices*).

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Regarding claim **9**, Goldman et al. discloses, wherein the controlled apparatus is an apparatus that controls at least one of an entry lock of a vehicle (Col 6, lines 16: “unlock the door”) and an engine start lock.

Regarding claim **10**, Goldman et al. discloses wherein the controlled apparatus is an apparatus that controls at least one of a glove box lock of a vehicle, a trunk lock, an available time of a vehicle (Col 8, lines 48-53), an available travel distance of a vehicle, and an available number of use of a vehicle.

Regarding claim **11**, Goldman et al. discloses wherein the vehicle control unit is an apparatus that controls at least one of a seat position of a vehicle (Col 6, lines 20-28), a steering wheel position, and a mirror position.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a) Claim **3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman et al. (US 6,430,488) in view of Omet (US 6,796,501).

Regarding claim **3**, Goldman et al. discloses all the limitations of claim **1** and further comprising a slot and a guide that guides the IC card to be inserted into the slot (See Col 7, lines 34-35: where it is understood that the acceptance device would have a slot and guide to accept an inserted smartcard). Goldman et al. suggests that “the

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acceptance device 110 is a smartcard reader...well known in the state of the art" (Col 4, lines 61-63).

Goldman et al. does not specifically teach that that the acceptance device (card reader) has an insertion detecting switch that detects the insertion of the IC card into the slot.

Omet discloses a card reader that has an insertion detecting switch that detects the insertion of the IC card into the slot (Fig 1, item 17: *detection switch*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to include a detection switch in a card reader in order to "indicate the presence of the smartcard" (Omet, Col 2, lines 46-47).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Andler whose telephone number is (571) 270-5385. The examiner can normally be reached on Monday-Friday 7:30 AM to 3:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Andler/
Examiner, Art Unit 2876

/Michael G Lee/
Supervisory Patent Examiner, Art Unit 2876